City of Kramer Municipal Code **Chapter 5: Management of the City Sewage System**

Section 1 – Definitions
Section 2 – Purpose
Section 3 – Sewage System Defined
Section 4 - Liability and Use
Section 5 – Procedure for Permit
Section 6 - Materials Prohibited from Discharge into City Sewer System
Section 7 – Fees and Penalties
 **Section 1 – Definitions.**

**5.1.** For the purpose of this chapter the following words shall have the meanings given herein:

“Appurtenance” is defined as an accessory or equipment that is related to a particular activity of function

“City” is defined as the City of Kramer.

“City Council” is defined as the Kramer City Council for the City of Kramer, North Dakota

“Discharge” is defined as the release or disposal of waste materials into the environment (Sewage System)

"Viscous" is defined as a substance with a thick, sticky, and relatively slow-flowing consistency, like honey or syrup. It's a property of fluids that indicates resistance to flow. Essentially, viscous liquids don't pour easily and tend to stick to surfaces

“Sewer Disposal System” is defined as City of Kramer sewage system in its entirety including property pits with manhole covers, intercepting sewer, trunk connections, sewer mains, filtration works, wet basin, site crane, lift station - dry basin, pumps, motors, floats, waste basket, chains, electronic control panel, all electrical lines from Otter Tail Power into the emergency shut off box to the lift station to the pumps and motors, and three (3) sewage lagoons.

“Waste Management System” is a combination of city waste systems, Garbage, Landfill and Sewer, into a single utility system and fund, hereafter referred to as the Waste Management System.

**Section 2. Purpose**

**5.2.**  Be it ordained by the City Council of the City of Kramer, North Dakota the city shall have responsibility of the Sewer Disposal System and all parts and appurtenances of the foregoing system which are used or useful in connection with the collection and disposal of sewage for the health, safety, and welfare of the inhabitants of the City of Kramer, subject to all ordinances, rules and regulations.

**Section 3: Sewage Disposal System – Part of Waste Management System – A Utility**

**5.3. Waste Management System**

The garbage disposal system in the City of Kramer, which incorporates garbage disposal and Permit-by-Rule Inert Waste Landfill, is hereby integrated into and established as part of the City of Kramer Waste Management System and coupled with the City of Kramer Sewage System and Landfill. The City of Kramer Waste Management System is hereby established as a City Utility.

The Kramer City Council is empowered to establish the access fees charged for the service of city utilities, to include sewage and garbage disposal, and landfill operations within the City of Kramer and empowered to establish the penalties for violation of the provisions of Chapter 5.

**5.3.1.** **System to be self-supporting and self-perpetuating - Charges generally:**

The City Sewage System shall be operated, maintained, used, extended and improved, and rates and charges for the services, facilities and benefits produced and furnished thereby shall be such as to make the sewage system self-supporting and self-perpetuating.

The charges from time to time imposed and collected for such services, facilities and benefits shall be made and kept adequate to pay all costs of operation and maintenance of the sewage system and for the making of replacements and improvements thereof and to establish and maintain reasonable reserves for the aforesaid purposes and, in addition to the foregoing, to produce reasonable surplus moneys in amounts substantially comparable to a fair return upon the City’s capital investment in such services, which surplus moneys, when actually on hand, may from time to time be appropriated by the City Council to pay or contribute to the costs of any other City functions.

The foregoing appropriations and provisions shall not, however, be deemed or construed to preclude the City from using at any time any special assessment method or methods now or hereafter permitted by law for defraying all or any part of the expense of any improvement to, or enlargement or extension of, either the water system or the sewer system comprised in such departments whenever and to the extent that the City Council is of the opinion that it is fair and equitable to do so.

**5.3.2. City Reserves the Right to Inspect.**

The City of Kramer reserves the right to inspect structures when payment of sewer fees is challenged.

**5.3.3. Annual and Routine Maintenance.**

The City of Kramer shall every year on 1 April, ensure an annual inspection is conducted of the city lift station, wet basins, and all associated accoutrements. The purpose is to ensure the system is in good working order and to forecast possible issues with the system before they manifest after the passing of winter. The cost of said inspection will be paid from the City of Kramer Utilities Account, sub account Sewer at FNB.

**5.3.3.a. Maintenance Contract**

The City of Kramer shall until it is no longer determined to be beneficial to the city shall maintain North Dakota Sewage, Lift and Pump of Fargo, North Dakota as the primary agent for care and maintenance of the city lift station and all associated accoutrements.

**5.3.3.b. Annual Wash**

The City of Kramer shall on an annual basis, wash down the wet basin where city sewage rests until pumped to the city lagoons. This will reduce the buildup of sludge and prevent maintenance issues with the basket and floats.

**5.3.3.c. City Inspection**

* The City of Kramer shall on a routine basis, as weather conditions permit, check the baskets and floats in the wet basin.
* Routine maintenance should be conducted around the lift station to remove agricultural waste, dirt deposited by erosion, and natural growth of vegetation.
* The City of Kramer shall at a minimum check pumps, check direction of flow, float operability, and condition of the dry well, as conditions permit, on a weekly basis.

**Section 4. Liability and Use.**

**5.4. Liability for Use.**

The owners of all real property in the City shall be responsible for the payment of the City Waste Management access fee, which is a city utility, composing of both sewer and garbage disposal. Sewer and garbage shall be listed as independent entries on the billing statement and require a single charge and payment.

**5.4.1. Privy, Vault, Septic Tank Limitations**

It shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage without the written consent of the city council.

**5.4.2. Sewers and Connection.**

The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the City, and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sewer line, is hereby required at the owner’s expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within 60 days after date of official notice to do so.

**5.4.2.a. Forms for Sewage System Connection and Permit Fee**

Any person desiring to connect to the City of Kramer Sewage Disposal System where no previous connection existed must first make application to the City Council CKForm-08 Sewer Connection and Building Notice and ckform-13 - Sewer Connection Agreement, both which are available on the city website. The fee for said connection shall be established and outlined in a City of Kramer Resolution.

**Section 5 – Procedure for Permit**

**5.5. New Sewer Connection Permit and Building Notice – Procedure for obtaining.** Sewerconnection permits shall be obtained in the following manner:

* The owner or owner’s authorized agent shall request a new sewer connection to the city using CKForm-08 Sewer Connection and Building Notice Form, and shall submit a completed CKForm-13 - Sewer Connection Agreement Form.
* And the connection fee as defined in a City of Kramer Resolution.

**5.5.1. Information provided to the city auditor**

The CKForm-08 Sewer Connection and Building Notice and ckform-13 - Sewer Connection Agreement, and the connection fee must be submitted to auditor before work commences and in time for city of council approval.

**5.5.2. Permit Issued and Posted**

The city auditor will issue the permit for sewer installation CKForm-09 Sewer Connection Permit to the party identified on the CKForm-08 Sewer Connection and Building Notice. The permit must be posted on the job site and must be readily visible.

**5.5.3. Costs of creating sewer connection borne by owner.**

All costs and expenses incident to the installation and connection to the city sewage system shall be borne by the owner.

**5.5.4. Damage to City System**

The owner shall indemnify the City from the loss or damage that may directly or indirectly be occasioned by the installation of the connection to the city sewer.

The owner shall indemnify the City of any loss or damage that may directly or indirectly be occasioned by the construction or demolition in the vicinity or over city sewer lines.

**Section 6. Materials Prohibited from Discharge into City Sewer System**

**5.6. Prohibition of** **Materials in Public Sewers**

No person shall discharge or cause discharge of any of the following described water or wastes into the city sewage system:

* Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
* Any waters containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant.
* Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage, a hazard to structures, equipment in the city sewage system.
* Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or interfering in the operational of the city lift station basin and pumps are prohibited. Other substances that interfere with the proper operation of the city lift stations and basins, include but are not limited to straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, disposable wipes, and diapers.

**5.6.1.** **Garbage disposals in households and businesses**.

Garbage disposals may be connected to sanitary sewers from homes and other establishments where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served.

**5.6.2. Connecting Sump Pumps**

Connecting stormwater, surface water, or groundwater to the sanitary sewer is prohibited in the City of Kramer and violations shall result in a fine of one hundred dollars $100.00. Furthermore, the condition shall be corrected at the owner’s cost.

**Section 7 – Fees and Penalties**

**5.7.** **Fees.**

Pursuant to the city’s taxing, police, and proprietary powers, every property-owner and businesses shall pay a Sewage disposal access fee as outlined in a City of Kramer Resolution.

**5.7.1. Failure to Pay Sewer Fees.**

The City of Kramer shall set the penalty for failure to pay the sewer utility fee for property owners and business regardless of duration of occupancy at twenty-five dollars ($25.00) a month until paid. If such a bill is not paid when due, the amount thereof may be assessed against the premises for which the service is rendered and collected and returned in the same manner as other municipal taxes are assessed, certified, collected, and returned. All fines related to the sewage disposal system shall be deposited into the City of Kramer Utilities Account, and subaccount Sewer at FNB.

**5.7.2. Violation of Provisions of Chapter 5**

The violation of any of the provisions of theCity of Kramer Municipal Code - Chapter 5 – Management of the City Sewage Disposal System shall result in a fine of not less than twenty-five dollars ($25.00) and the no more than five hundred dollars ($500.00). The only exception is Chapter 5 - 5.7.1., which decrees a specific fine for the failure to pay sewer fees.

**5.7.3. Litigation as an alternative to Penalties**

The City of Kramer shall pursue litigation in the Bottineau County Court as an alternative to penalties and assessment against properties. All city penalties, attorney and court fees will be paid by the defendant should the court rule in favor of the City of Kramer as plaintiff.

The city auditor shall report all paid penalties associated with the sewage system to the city council as part of the monthly financial report. All penalties will be reported on the city website.

The auditor shall deposit all fees and penalties in the City of Kramer Utilities Account FNB Sewer Fund.

**5.8. Date of Authorization**

This municipal Chapter requires two readings and a vote of approval by the Kramer City Council after which the Chapter shall become effective on the date of publication with the Bottineau Courant.

**5.9. Supremacy Clause.**

This Chapter supersedes all previous ordinance and amendments and negate and replace all and any previous contracts and agreements, written or spoken, regarding the management, operation, and financing of the city sewage system.

Auditor and Council Review 7/6/2025 Approved

Attorney Review – Rachael Mickelson Hendrickson 7/17/2025 – Approved

Date of First Reading:

Date of Second Reading:

Publication in Bottineau Courant:

Documented Vote:

Adopted this day:

Mayor/Council President Auditor Attests